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Save Our Forest Association

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION – RIVERSIDE

BLUETRITON BRANDS, INC.,

Plaintiff,

vs.

UNITED STATES FOREST SERVICE, *et al.*,

Defendants.

Case No.: 2:24-cv-09720-JGB-DTB

**REQUEST FOR LEAVE TO APPEAR
REMOTELY BY AMICUS COUNSEL AND
TO SUPPLEMENT BRIEF**

Date: January 13, 2025

Time: 9:00 a.m.

Judge: Hon. Jesus G. Bernal

Dept: Riverside, Courtroom 1

Action Filed: August 6, 2024

Counsel for *amicus curiae* SAVE OUR FOREST ASSOCIATION, INC. hereby respectfully requests leave to appear remotely at the hearing in the above matter, scheduled for January 13, 2025, at 9:00 a.m. before the Honorable Jesus G. Bernal. This request is made pursuant to Federal Rules of Appellate Procedure Civil Procedure § 29(a) and Federal Rule of Civil Procedure § 43(a).

The instant matter was filed with the United States District Court for the District of Columbia on August 6, 2024 [ECF 001] along with a Motion for Preliminary Injunction [ECF 002]. On August 13, 2024, *amicus curiae* SAVE OUR FOREST ASSOCIATION, INC., filed a Notice of Motion and Motion for Leave to File Amicus Brief in support of Defendants UNITED STATES FOREST SERVICE [ECF 016], along with the proposed brief [ECF 16-2] and supporting

1 declarations [ECF 16-3 to 16-6]. That motion was granted by the Court on August 15, 2024, and the
2 brief was entered into the docket.¹ [ECF 019]. On August 28, 2024, Defendants UNITED STATES
3 FOREST SERVICE filed a Motion to Transfer Venue to the Central District of California. [ECF
4 028]. That motion was granted by the Court on October 23, 2024 [ECF 035] and the matter was
5 transferred to the Central District of California, Eastern Division. [ECF 036-039]. On December 20,
6 2024, the Court scheduled a hearing on Plaintiff's Motion for Preliminary Injunction, to be heard
7 before the Honorable Jesus G. Bernal on January 13, 2025, at 9:00 a.m. [ECF 060].

8 An *amicus curiae* may participate in oral argument with the Court's permission. Fed. R.
9 App. P. §29(a)(8). Additionally, the Court may permit a party to appear and provide testimony via
10 remote means, upon advance request and for good cause. Fed. R. Civ. P. §43(a); Standing Order,
11 §16. *Amicus curiae* SAVE OUR FOREST ASSOCIATION, INC. has considerable factual and legal
12 information pertaining to the questions presented in Plaintiff's Motion for Preliminary Injunction
13 [ECF 2], as a party to the hearing before the California State water Resources Control Board, as
14 well as a litigant in the Central District of California in an earlier-filed related case challenging the
15 very same permit that the United States Forest Service has terminated through the action challenged
16 here. See ECF 3, 7, *Save our Forest Association v. United States Forest Service*, case no. 5:24-cv-
17 01336-JGB-DTB.

18 Furthermore, since the SAVE OUR FOREST ASSOCIATION, INC.'s amicus brief was file
19 in August, certain facts have changed. Therefore, amicus respectfully requests the opportunity to
20 file the same 500 pages of supplementation afforded to the parties to this case. [ECF 60]

21 In conclusion, SAVE OUR FOREST ASSOCIATION, INC. requests (1) approval to appear
22 remotely in this matter at the hearing on January 13, 2025, and (2) leave to file supplemental
23 briefing of no more than 500 words.

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27 ¹ The supporting declarations were not refiled, apparently inadvertently.

1 Dated: 12/23/2024

Respectfully Submitted,

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3 By: /s/ Rachel S. Doughty

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